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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/639,908 08/16/00 JOAO

R RJ251

RAYMOND A JOAO ESQ
122 BELLEVUE PLACE
YONKERS NY 10703

TM02/0130

EXAMINER

KANDU, P

ART UNIT

PAPER NUMBER

2164

DATE MAILED:

01/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/639,908

Applicant(s)

JOAO

Examiner

Pedro R. Kanof

Group Art Unit

2765



☒ Responsive to communication(s) filed on Aug 16, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract is more than 250 words with 25 lines. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 14 (bis) been renumbered 15.

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Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Homi Byramji (Databases boost fundamental analysis (automation in the investment industry), Wall Street Computer Review, v6, n2, p46(8)) (hereafter Byramji).

Claims 1, 7, 13 and 17: Byramji discloses a method and an apparatus for providing financial information and/or investment information, comprising:

a memory device for storing (databases, page 2, lines 34-37, large databases, page 2, line 22, page 3, lines 17-21) one of data and information for at least one of a financial factor, a factor, a factor model (page 1, line 46), a factor ratio, a stock (page 7, line 12), a bond, a security (page 1, line 14), securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and an account;

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a receiver for receiving a request (users can download standard, analytic or financial, page 2, lines 57-58, users have unlimited dial-up access to Fact Set's mainframe, page 3, lines 14-16, users dial into the IDC computers...on line, page 3, line 52, installed on user's in-house computers and... networks, page 6, lines 26-27)to provide at least one of notification to an individual and for receiving a request from an individual regarding information regarding said one of a financial factor, a factor, a factor model, a factor ratio, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and an account,

correlated (calculate, page 2, line 48, page 5, lines 9-16, with said one of a financial factor, a factor, a factor model (page 1, line 44), a factor ratio (page 1, line 55), and a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and an account, and

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protection for at least one of an account (informations are reserved, page 3, lines 54-56) for and a portfolio of at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and an account;

processing (page 2, line 43, software, page 3, lines 28-30) said request at least one of said notification request and said protection request in conjunction with said one of data and information stored in said memory device;

generating (page 1, line 48, users can create the model, page 3, line 43) a report responsive to at least one of at least one of said notification request and said protection request, wherein said report contains information for providing said requested at least one of notification information and protection information regarding said one of a financial factor, a factor, a factor model, a factor ratio, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a

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telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and further

wherein said report (page 3, lines 4-6 and 17-25, and page 7, line 8) contains one of historical, statistical, and forecasting, information regarding said at least one of a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and information regarding a transaction performed by at least one of said apparatus and said processor; and

transmitting said report to a communication device (on-line, page 3, line 53) associated with the individual, wherein said report provides said requested at least one of notification information and protection information.

Claims 2 and 14: Byramji discloses the apparatus and method of claims 1 and 13, wherein said report (page 2, lines 38-40) is generated (generate detailed historical financial statements, page 1, lines 28-32) upon at least one of the occurrence and the detection of at least on of an expiration of a period of time (time-series, page 1, line 46), an elapsing of a time period, and a change (if the user expects the dollar to fail, page 1, lines 52-53) in said at least one of a financial factor, a factor, a factor model, a factor ratio, a stock, a bond, a security, securities, a

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portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account.

Claims 3, 9, 15 and 19: Byramji discloses the apparatus and method of claims 1, 7, 13 and 17, wherein said at least one of a financial factor, a factor, a factor model, a factor ratio (price-depended ratios, page 4, line 25), and a stock, a bond, a security, a portfolio of securities, a financial market, a market index, a currency, a commodity, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, is at least one of a financial factor, a factor model, a technical factor, a fundamental factor, a factor ratio, a market factor, a utility factor, a commodity factor, an energy factor, a psychological factor, an environmental factor, a time factor, a timing factor, a news event, and one of an event and an occurrence affecting one of a factor, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a

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telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract.

Claims 4 and 10: The apparatus of claims 1 and 7, further comprising:

a communication device (on-line, page 3, line 53) associated with the individual, wherein said communication devices one of transmits said request for information to said receiver and receives said report from said transmitter.

Claims 5, 11 and 16: Byramji discloses the apparatus and method of claims 1, 7 and 13, further comprising:

a communication device (on-line, page 3, line 53) associated with at least one of a financial institution, a financial intermediary, a broker, a dealer, and an issuer, of said at least one of a stock (daily stock price, page 4, line 23), a bond (bond price, page 4, line 23), a security, securities, a portfolio of securities, a market instrument, an index instrument (recalculate price-dependent ratios, page 4, lines 24-25), a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, and a contract, and an external information source, wherein said communication device one of transmits information to said receiver and receives information from said transmitter.

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Claim 6: The apparatus of claim 1, wherein said apparatus is utilized one of on and over at least one of the Internet, the World Wide Web, a telephone communication network (on-line, page 3, line 53), a telecommunication network, a wireless communication network, a line connected communication network, a satellite communication network, a radio communication network, a digital communication network, a digital satellite communication network, a personal communications services network, a cable television network, a broadband communication network, a bluetooth communication network, a third generation telephone network, and a low earth orbiting satellite.

Claims 8 and 18: Byramji discloses the apparatus and method of claims 7 and 17, wherein said report is generated (page 1, lines 30-34) upon at least one of the occurrence and the detection of at least one of an expiration of a period of time (ratings for timeliness, page 7, line 16), an elapsing of a time period (historical, page 1, lines 32 and 41-42, multiple historical periods), and a change in said at least one of a financial factor, a factor, a factor model, a factor ratio, a stock, a bond, a security, securities, a portfolio of securities, a market instrument, an index instrument, a financial market, a market index, a mutual fund, a trust, a currency, currencies, a commodity, commodities, a foreign exchange rate, an interest rate, a utility service, a utility product, an energy service, an energy product, a telecommunication service, a telecommunication product, a debt product, a credit product, a credit derivative product, a derivative, an option, a future, a forward, a contract, and an account.

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Claims 12 and 20: Byramji discloses the apparatus and method of claims 7 and 17, wherein said apparatus is utilized one of on and over at least one of the Internet, the World Wide Web, a telephone communication network, a telecommunication network (page 3, line 53), a wireless communication network, a line connected communication network (via modem, page 7, line 29, providing immediate access to any Research Park capability, page 6, lines 29-30), a satellite communication network, a radio communication network, a digital communication network (transmits it to the user's computer over high-speed dedicated lines, page 6, line 8), a digital satellite communication network, a personal communications services network, a cable television network, a broadband communication network, a bluetooth communication network, a third generation telephone network, and a low earth orbiting satellite.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 6:30 a.m. to 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Mr. Vincent Millin, can be reached on (703) 308-1065. The fax phone number for this Group is (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PRK-12/25/00.

A handwritten signature in black ink, consisting of a stylized 'V' followed by a long, sweeping horizontal stroke that curves upwards at the end.

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100